

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

16 | David R. Stewart, Petitioner, respectfully represents to the Court:

22 || 2. That Petitioner is an attorney at law and a member of the law firm of

23 HOWREY, LLP with offices at

24 525 Market Street, Suite 3600

25 San Francisco, CA (street address) 94105 415-848-4900

(city) \_\_\_\_\_, (zip code) \_\_\_\_\_, (area code + telephone number) \_\_\_\_\_.

[stewartd@howrey.com](mailto:stewartd@howrey.com)

stewart.caughn@sympatico.ca  
(Email address)

(Small address)

1  
2       3. That Petitioner has been retained personally or as a member of the law firm by  
3       Napster, Inc. & RealNetworks, Inc. to provide legal representation in connection with  
3       [client(s)]  
the above-entitled case now pending before this Court.  
4

5       4. That since April 17, 2002, Petitioner has been and presently is a member  
5       (date)  
in good standing of the bar of the highest Court of the State of Washington  
6       (state)  
where Petitioner regularly practices law.  
7

8       5. That Petitioner was admitted to practice before the following United States District  
9 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
10 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
11 standing of the bars of said Courts.  
12

Court	Date Admitted	Bar Number
<u>State Bar of Washington</u>	<u>04/17/02</u>	<u>32150</u>
<u>USDC, Western Dist. of Washington</u>	<u>04/2002</u>	
<u>Supreme Court of Illinois</u>	<u>01/18/87</u>	<u>6193401</u>
<u>U.S. Court of Appeals, Federal Circuit</u>	<u>08/2006</u>	

20  
21       6. That there are or have been no disciplinary proceedings instituted against petitioner, nor any  
22 suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body,  
23 or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described  
24 in detail below:  
25

n/a

7. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars of ever denied admission):

n/a

8. That Petitioner is a member of good standing in the following Bar Associations:

American Bar Association, Washington State Bar Association

9. Petitioner or any member of Petitioner's firm (or office if firm has offices in more than one city) with which Petitioner is associated has/have filed application(s) to appear as counsel under Local Rule IA 10-2 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
Petitioner has not filed any application to appear as counsel under Local Rule IA 10-2 during the past three (3) years. Robert N. Phillips, a member of Petitioner's office filed one application as follows:			
May 25, 2005	Ramirez v. Hilton Hotels Corp. Case No. CV-S-05-0467-RCJ RJJ	USDC	Granted

(If necessary, please attach a statement of additional applications)

10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

12. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

Petitioner's Signature

STATE OF CALIFORNIA )  
COUNTY OF SAN FRANCISCO )  
                              )

David R. Stewart, Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true.

Petitioner's Signature

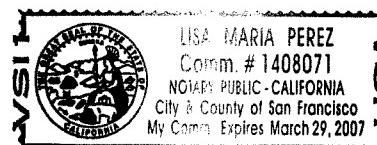
Subscribed and sworn to before me this  
14<sup>th</sup> day of March 2007  
Oliver Maria Peix  
Notary Public

**DESIGNATION OF RESIDENCE ATTORNEY  
ADMITTED TO THE BAR OF THIS COURT  
AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Michael D. Rounds, Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate residence counsel in this action. The address of said designated Nevada counsel is:

Watson Rounds, 5371 Kietzke Lane, Reno, NV 89511 (775) 324-4100

(Street, City, State, Zip Code and Telephone No.)



1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations binding on all of  
3 us.

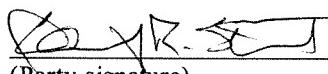
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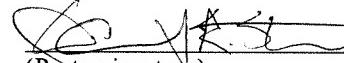
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

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7 The undersigned party(ies) appoints Michael D. Rounds as his/her/their  
8 Designated Resident Nevada Counsel in this case.

9

10  COUNSEL FOR REAL NETWORKS  
(Party signature)

11  COUNSEL FOR MAPSTER  
(Party signature)

12 \_\_\_\_\_  
(Party signature)

13

14

15 **CONSENT OF DESIGNEE**

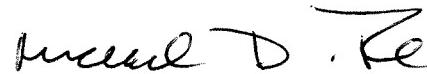
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17

The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

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 4734  
Designated Resident Nevada Counsel Bar number

20

21

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23

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APPROVED:

Dated: this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

25

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UNITED STATES DISTRICT JUDGE

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